

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ANGELA MALCICH,

Plaintiff,

V.

ST. LOUIS COUNTY, et al.,

Defendants.

No. 4:20-cv-01030-AGF

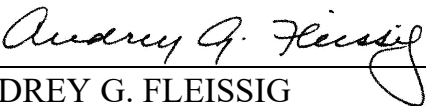
MEMORANDUM AND ORDER

This matter is before the Court on the emergency motions filed by the Nurse Defendants with seeking to exclude the expert report and opinion of Plaintiff's expert, Dr. Heller and the designation of Defendants' experts (Doc. Nos. 84-85). Having determined, after a conference with counsel, that the scheduling issues with respect to the deposition of Plaintiff's expert were based, in part, on miscommunication between counsel, and that, after balancing the competing interests, the discovery should be permitted, the Court, by Order dated February 10, 2022 (Doc. No. 91) vacated the discovery deadline and directed the parties, once again, to confer and reach agreement with respect to dates for Dr. Heller's deposition, and new deadlines with respect to Defendants' expert witnesses, the completion of discovery, and an amended Case Management Order. The Court advises the parties that it expects counsel to confer in good faith and attempt to reach agreement with respect to all remaining deadlines, and further expects Defendants to comply fully with the new

deadlines. Because the Order of February 10, 2022 addresses Defendants' emergency motions,

IT IS HEREBY ORDERED that Defendants' Emergency Motion to exclude the report and opinions of Plaintiff's expert (84), is **DENIED** in part, with respect to Defendants' request for an emergency order excluding Dr. Heller's expert report and opinions, and **GRANTED** in part, consistent with this Court's Order dated February 10, 2022 (Doc. No. 91).

IT IS FURTHER ORDERED that Defendants' Emergency Motion for extension of time to produce expert reports and make experts available for deposition (85) is **GRANTED**, consistent with this Court's Order dated February 10, 2022 (Doc. No. 91).



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 11th day of February 2022.